

USSN 09/885,906

PATENT

-2-

Remarks

The applicants respectfully traverse the restriction between Inventions I and II on the grounds that the official action does not set forth a proper case of distinctiveness between Inventions I and II. The official action alleges that the Group II invention claims specifics of a biasing circuit but "the structural limitations of the photodiode are not outlined or specific to the Group I or III inventions." The applicants respectfully disagree with this statement with respect to the Group I invention.

The applicants respectfully submit that the avalanche photodiode and the reference diode recited in claim 17 collectively constitute "a plurality of arrayed individual diode devices including at least one active photodiode and at least one reference diode." as recited in claim 1.

The applicants believe that the application is in condition for allowance, and respectfully request such favorable action. If any matters remain outstanding in the application, the Examiner is respectfully invited to telephone the applicants' attorney at (650) 485-3015 so that these matters may be resolved.

Respectfully submitted,

Ken A. Nishimura et al.

By: Ian Hardcastle
Reg. No. 34,075

Agilent Technologies, Inc.
Legal Department, MS DL429
P.O. Box 7599
Loveland, CO 80537-0599

Dated: February 9, 2004

Tel.: (650) 485-3015